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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/490,502	01/25/2000	Hongyung Zhang	1508.63556	7217

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EXAMINER

DUONG, TAI V

ART UNIT PAPER NUMBER

2871

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/490,502

Applicant(s)

ZHANG, HONGYUNG

Examiner

Tai Duong

Art Unit

2871

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 1,2,10,11 and 14.

Claim(s) objected to: 4,6 and 8.


Claim(s) rejected: 3-8, 12 and 13.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 2. NOTE: Newly amended independent claims 4 and 8 raise new issues because they are directed to new combinations. The combinations are considered as new and are broader in scope than original claims 4 and 8 because they do not have the allowed feature "wherein said sub-TFT substrate processing step includes a step of forming a semiconductor film above the sub-TFT substrate" of claim 1.

Continuation of 5. does NOT place the application in condition for allowance because: of the same reasons set forth in the final Office action. Applicant's remarks have been considered but are not persuasive because Applicant did not point out where in the original disclosure discloses the combinations of the Fifth Embodiment (claim 1) with the First, Second, Third or Fourth Embodiment. For example, as to claim 3, Figs. 23 and 25 drawn to the Fifth Embodiment both disclose same size liquid crystal panels having an image sensor. Nowhere in the original disclosure does it disclose the embodiment having liquid crystal panels having an image sensor with different sizes being formed in the master glass substrate. It is noted that the issue is not whether it is obvious to one skilled in the art to combine the Fifth Embodiment with the features of the First, Second, Third or Fourth Embodiment. The issue is where in the original disclosure (including the drawings) provides support for the combinations of the Fifth Embodiment with the First, Second, Third or Fourth Embodiment. As an example to support for the examiner's position, assume that the instant claim 1 recites the features A, B and C; and there is a reference discloses the feature A in the First embodiment, the feature B in the Second embodiment and the feature C in the Third Embodiment. The reference is silent or does not disclose that the features A, B and C can be combined with each other. Is the reference a 102 reference (anticipation) with respect to claim 1 ? No, the reference is not a 102 reference because it does not provide support for the embodiment having the combination of features A, B and C. The same reasons are also applied to Applicant's remarks regarding claims 4-8, 12 and 13. Lastly, the proposed amendment to claim 6 will overcome the objection under 37 CFR 1.75 ©, if entered.


JAMES DUDEK
PRIMARY EXAMINER